


P24118.P01 <div style="text-align: center;"><b>UTILITY PATENT APPLICATION TRANSMITTAL</b></div> (Only for new nonprovisional applications under 37 CFR 1.53(b))	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Attorney Docket No.</td> <td style="width: 33%;">P24118</td> <td style="width: 33%;">Total Pages</td> </tr> <tr> <td colspan="3">           Inventor(s) or Application Identifier:            Masahiro FUSHIMI, Akira ARIMOTO, Shinji TSUKAMOTO, and            Tadashi MINAKUCHI         </td> </tr> <tr> <td colspan="3">Title: OPTICAL COMMUNICATION DEVICE</td> </tr> </table>	Attorney Docket No.	P24118	Total Pages	Inventor(s) or Application Identifier: Masahiro FUSHIMI, Akira ARIMOTO, Shinji TSUKAMOTO, and Tadashi MINAKUCHI			Title: OPTICAL COMMUNICATION DEVICE		
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Title: OPTICAL COMMUNICATION DEVICE										
ADDRESS TO: <b>Commissioner for Patents Mail Stop Patent Application PO Box 1450 Alexandria, VA 22313-1450</b>										
<b>APPLICATION ELEMENTS</b>	<b>ACCOMPANYING APPLICATION PARTS</b>									
1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)  2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. a. <input type="checkbox"/> Small Entity Statement(s)  3. <input checked="" type="checkbox"/> Specification [Total Pages <u>41</u> ] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure  4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <u>5</u> ]  5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>4</u> ] a. <input checked="" type="checkbox"/> Newly executed (original or copy) <input type="checkbox"/> Unexecuted b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20 completed) [Note Box 6 below] i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  6. <input type="checkbox"/> Incorporation By Reference (useable if Box 5b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.  7. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76  8. <input type="checkbox"/> CD-Rom or CD-R in duplicate, large table or Computer Program (Appendix)	9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies  10. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))  11. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)  12. <input type="checkbox"/> English Translation Document (if applicable)  13. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Citations Statement (IDS)/PTO-1449  14. <input type="checkbox"/> Preliminary Amendment  15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  16. <input checked="" type="checkbox"/> Figure of Drawing to be published: <u>1</u>  17. <input checked="" type="checkbox"/> Foreign priority claimed a. <input checked="" type="checkbox"/> Claim of Priority b. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s)  18. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b) (2) (B) (i). Applicant must attach form PTO/SB/35 or its equivalent.  19. <input checked="" type="checkbox"/> Assignee: <u>PENTAX Corporation, of Tokyo, Japan</u>  20. <input checked="" type="checkbox"/> Other: <u>Cover Letter Regarding Executed Application</u> _____ _____ _____ _____ _____									
21. If a <b>CONTINUING APPLICATION</b> , check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 C.F.R. 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior Application No. _____ / _____, filed _____. Prior application information: Examiner: _____ Group Art Unit: _____										

Address all future correspondence to **Customer No. 7055** at the present address of:

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 Reston, VA 20191  
 (703) 716-1191

11/4/03  
Date

  
 Signature  
Bruce H. Bernstein, Reg. No. 29,027  
 Typed or Printed Name

P24118.P02 <div style="display: flex; align-items: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold; margin-right: 10px;">110403</div> <div style="text-align: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-weight: bold;">13281 U.S. PTO</div> <div style="font-weight: bold; font-size: 1.2em;">FEE TRANSMITTAL</div> </div> </div>		Complete if Known		
		Application Number		Not Yet Assigned
		Filing Date		Concurrently Herewith
		First Named Inventor		Masahiro FUSHIMI et al.
		Group Art Unit		Unassigned
		Examiner Name		Unassigned
TOTAL AMOUNT OF PAYMENT		(\$) <u>810.00</u>		
Attorney Docket Number		P24118		

<p style="text-align: center; font-weight: bold;">METHOD OF PAYMENT (check one)</p> <p>1. <input checked="" type="checkbox"/> The U.S Patent and Trademark Office is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <u>19-0089</u></p> <p>Deposit Account Name <u>GREENBLUM &amp; BERNSTEIN, P.L.C.</u></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3))</p> </div> <div style="width: 45%;"> <p><input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)</p> <p><input type="checkbox"/> Applicant Claims Small Entity Status See 37 CFR 1.27.</p> </div> </div> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:  <input checked="" type="checkbox"/> Check   <input type="checkbox"/> Credit Card   <input type="checkbox"/> Money Order   <input type="checkbox"/> Other</p> <p style="text-align: center; font-weight: bold;">FEE CALCULATION (fees effective 10/01/03)</p> <p><b>1. FILING FEE</b></p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td><u>770.00</u></td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td><u>          </u></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td><u>          </u></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td><u>          </u></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td><u>          </u></td></tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td><b>(\$)<u>770.00</u></b></td> </tr> </tbody> </table> <p><b>2. 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1812	2,520	1812	2,520	For filing a request for reexamination	<u>          </u>																																																																																																																																																																																																																																																																																																												
1804	920*	1804	920*	Requesting publication of SIR	<u>          </u>																																																																																																																																																																																																																																																																																																												
				Prior to Examiner action	<u>          </u>																																																																																																																																																																																																																																																																																																												
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	<u>          </u>																																																																																																																																																																																																																																																																																																												
1251	110	2251	55	Extension for response within 1st month	<u>          </u>																																																																																																																																																																																																																																																																																																												
1252	420	2252	210	Extension for response within 2nd month	<u>          </u>																																																																																																																																																																																																																																																																																																												
1253	950	2253	475	Extension for response within 3rd month	<u>          </u>																																																																																																																																																																																																																																																																																																												
1254	1,480	2254	740	Extension for response within 4th month	<u>          </u>																																																																																																																																																																																																																																																																																																												
1255	2,010	2255	1,005	Extension for response within 5th month	<u>          </u>																																																																																																																																																																																																																																																																																																												
1401	330	2401	165	Notice of Appeal	<u>          </u>																																																																																																																																																																																																																																																																																																												
1402	330	2402	165	Filing a brief in support of an appeal	<u>          </u>																																																																																																																																																																																																																																																																																																												
1403	290	2403	145	Request for oral hearing	<u>          </u>																																																																																																																																																																																																																																																																																																												
1451	1,510	1451	1,510	Petition to institute a public use proceeding	<u>          </u>																																																																																																																																																																																																																																																																																																												
1452	110	2452	55	Petition to revive unavoidably abandoned application	<u>          </u>																																																																																																																																																																																																																																																																																																												
1453	1,330	2453	665	Petition to revive unintentionally abandoned application	<u>          </u>																																																																																																																																																																																																																																																																																																												
1501	1,330	2501	665	Utility issue fee (or reissue)	<u>          </u>																																																																																																																																																																																																																																																																																																												
1502	480	2502	240	Design issue fee	<u>          </u>																																																																																																																																																																																																																																																																																																												
1503	640	2503	320	Plant issue fee	<u>          </u>																																																																																																																																																																																																																																																																																																												
1460	130	1460	130	Petitions to the Commissioner	<u>          </u>																																																																																																																																																																																																																																																																																																												
1807	50	1807	50	Petitions related to provisional applications	<u>          </u>																																																																																																																																																																																																																																																																																																												
1806	180	1806	180	Submission of IDS	<u>          </u>																																																																																																																																																																																																																																																																																																												
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	<u>40.00</u>																																																																																																																																																																																																																																																																																																												
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	<u>          </u>																																																																																																																																																																																																																																																																																																												
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	<u>          </u>																																																																																																																																																																																																																																																																																																												
1801	770	2801	385	Request for Continued Examination (RCE)	<u>          </u>																																																																																																																																																																																																																																																																																																												
1802	900	1802	900	Request for expedited examination of a design application	<u>          </u>																																																																																																																																																																																																																																																																																																												
Other fee (specify) _____					<u>          </u>																																																																																																																																																																																																																																																																																																												
Other fee (specify) _____					<u>          </u>																																																																																																																																																																																																																																																																																																												
<b>SUBTOTAL (3)</b>					<b>(\$)<u>40.00</u></b>																																																																																																																																																																																																																																																																																																												
*Reduced by Basic Filing Fee paid																																																																																																																																																																																																																																																																																																																	

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Bruce H. Bernstein		Reg. Number	
				29,027	
Signature		Date		Deposit Account User ID	
 <div style="font-size: 1.5em; font-weight: bold;">33329</div>		<u>4/4/03</u>			

P24118.A01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masahiro FUSHIMI et al.

Applications Branch

Appln. No. : Not yet assigned

Filed : Concurrently herewith

For : OPTICAL COMMUNICATION DEVICE

**COVER LETTER REGARDING EXECUTED APPLICATION**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

The undersigned points out that the executed application being filed herewith includes pages 1 - 4 of the executed declaration which were forwarded to the undersigned by facsimile by Applicants' Japanese representative on November 4, 2003, and pages 1 - 41 of the specification (with Figures 1 - 9) which were earlier forwarded to the undersigned by Applicants' Japanese representative on October 30, 2003. Further, the undersigned has been advised by the Japanese representative that the inventors had reviewed the application before executing the declaration.


Accordingly, Applicants respectfully submit that the present application is properly executed and should be considered as filed in executed form. However, if the U.S. Patent and Trademark Office determines that the present application is not properly executed,

P24118.A01

Applicants respectfully request that the present application be treated as an unexecuted application under 37 C.F.R. 1.53(f).

Should there be any questions regarding this paper, please contact the undersigned at the below listed number.

Respectfully submitted,  
Masahiro FUSHIMI et al.

  
Bruce H. Bernstein  
Reg. No. 29,027

November 4, 2003  
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